



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331

Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

June 14, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

43 June 14, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION
FUTURE STREET EAST OF 156TH STREET EAST
IN THE UNINCORPORATED COMMUNITY OF WILSONA GARDENS
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to abandon an offer of dedication of road right of way (future street) east of 156th Street East in the unincorporated community of Wilsona Gardens that is no longer needed for public use. The abandonment of the future street has been requested by the underlying property owners to enhance their property and provide an additional buildable area.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the offer of dedication of road right of way east of 156th Street East in the unincorporated community of Wilsona Gardens has not been accepted and used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation and that it may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.

3. Find that the offer of dedication of road right of way east of 156th Street East is excess and not required for street or highway purposes and that it may, therefore, be vacated pursuant to Section 8334(a) of the California Streets and Highways Code.
4. Find that the offer of dedication of road right of way east of 156th Street East is not useful as a nonmotorized transportation facility as required by Section 892 of the California Streets and Highways Code.
5. Terminate the offer of dedication of road right of way (future street) and abandon the County of Los Angeles' right to accept and open the street pursuant to Section 66477.2(c) of the California Government Code.
6. Adopt the Resolution of Summary Vacation.
7. Upon approval, authorize the Director of Public Works to record the certified original resolution with the office of the Los Angeles County Registrar Recorder/County Clerk.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to abandon the offer of dedication of road right of way east of 156th Street East (Offer) in the unincorporated community of Wilsons Gardens, since it no longer serves the purpose for which it was dedicated and is not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The abandonment of the Offer will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The abandonment of the Offer will not have a negative fiscal impact on the County's budget. The applicant has paid a \$1,500 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area of the future street to be abandoned contains approximately 127,243 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The California Streets and Highways Code Section 8333(a) provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately

preceding the proposed vacation.

The Streets and Highways Code Section 8334(a) provides that the legislative body of a local agency may summarily vacate an excess right of way of a street or highway not required for street or highway purposes.

Government Code Section 66477.2(c) provides "Offers of dedication which are covered by subdivision (a) may be terminated and abandoned in the same manner as prescribed for the summary vacation of streets by Part 3 (commencing with Section 8300) of Division 9 of the Streets and Highways Code."

The County's interest in the future street was acquired in 1967 by dedication in Tract No. 28490, filed in Book 766, pages 13 to 23 inclusive, of Maps, in the office of the of the Los Angeles County Registrar-Recorder/County Clerk as an offer to dedicate for public use for street purposes.

The Offer was never accepted by the County, no improvements were ever made to the right of way by the County, and this area has never been used for County highway purposes.

Mr. and Mrs. Kevin Fei Yang Chen, the underlying property owners, requested the abandonment of the future street to enhance their property and provide an additional buildable area. There were no objections to the abandonment by any of the affected adjacent property owners.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Offer. Your action will result in the property being unencumbered by the Offer and available to the property owners for use without restriction of the Offer.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the elimination of the Offer.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
FUTURE STREET EAST OF 156TH STREET EAST**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the recipient of an offer of dedication for future street purposes (hereinafter referred to as the Offer) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Offer, east of 156th Street East, is located in the unincorporated community of Wilsona Gardens in the County of Los Angeles, State of California.
2. The Offer has not been accepted and used for the purpose for which it was dedicated.
3. The Offer is excess right of way not required for street or highway purposes.
4. The Offer is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.
5. The Offer is hereby terminated and abandoned pursuant to Section 66477.2(c) of the California Government Code and pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.
6. The Director of Public Works is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Offer will be terminated, and the County's rights to accept said offer of dedication will be abandoned.
7. From and after the date this resolution is recorded, the Offer will no longer constitute a street, highway, or public service easement.

The foregoing resolution was on the 14th day of June, 2011, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By



Deputy

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By



Deputy



GT:mr

P:\MPPUB\ADMIN\MARIA\BOARD LETTER ENCLOSURE\RES WILSONA GARDENS RES ENCLOSURE

EXHIBIT A

FUTURE STREET EAST OF 156TH STREET EAST 1-1ABN

A.I.N. 3169-004-009 to 016 &
3169-004-025 to 032

T.G. 4109-E6

I.M. 339-317

R.D. 555

S.D. 5

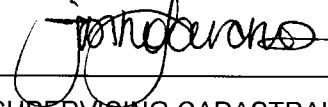
M0688109

LEGAL DESCRIPTION

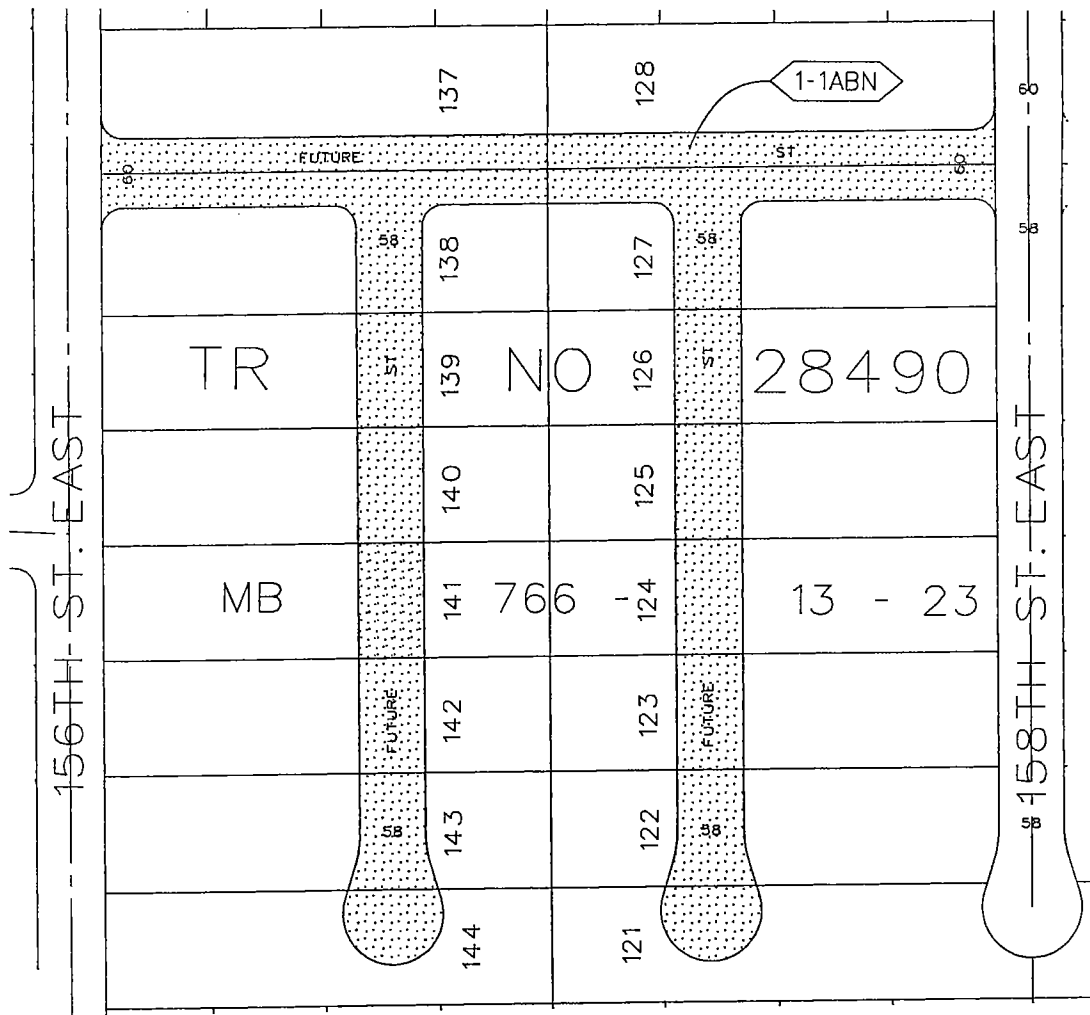
PARCEL NO. 1-1ABN (Abandonment of Future Street):

Those portions of Lots 121 to 128, inclusive, and Lots 137 to 144, inclusive, of Tract No. 28490, as shown on map filed in Book 766, pages 13 to 23, inclusive, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, designated as "FUTURE STREET", on said map.

Containing: 127,243± square feet.

APPROVED AS TO DESCRIPTION	
April 19, 2011	
COUNTY OF LOS ANGELES	
By	
SUPERVISING CADASTRAL ENGINEER III	
Survey/Mapping & Property Management Division	

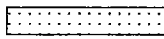
This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

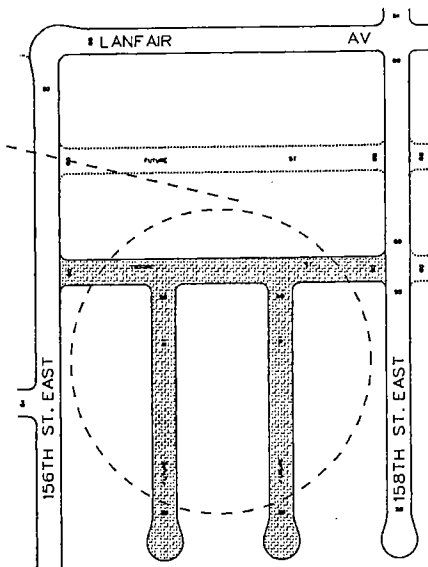


SUBJECT
LOCATION

EXHIBIT B

LEGEND

 Proposed abandonment
of Future Street
Total area = 127,243± s.f.



REVISIONS

1.	2.	3.
----	----	----

DEPARTMENT OF PUBLIC WORKS

SURVEY/MAPPING & PROPERTY MANAGEMENT DIV.

SD. 5	RD. 555	A.M.B. 3169-004	T.G. 4109-E6
----------	------------	--------------------	-----------------

FUTURE ST. E/O
156TH ST. E.

DRAWING NO.
M0688109

SCALE NONE	DATE 4-7-11	I.M. 339-317
---------------	----------------	-----------------